

BEFORE THE BOARD OF CHIROPRACTIC PHYSICIANS

STATE OF IDAHO

In the Matter of the License of:

TIMOTHY W. GROTHMAN, D.C.,
License No. CHIA-808,

Respondent.

Case No. CHI-2007-12

FINAL ORDER

THIS MATTER is before the Board pursuant to Respondent's Request For Reinstatement.

On March 11, 2009, the Board signed an Order suspending Respondent's license as a chiropractic physician in Idaho. In pertinent part, the Order provided that: "License No. CHIA-808 issued to Respondent Timothy W. Grothman, D.C., is hereby SUSPENDED until Respondent has successfully completed his probation in Case No. CR-06-069 and has requested and obtained reinstatement of his licensure from the Board." *Stipulation and Consent Order*, ¶C.1.

The Board received a letter from Respondent's attorney, J. Kevin West, dated March 20, 2009, requesting a meeting with the Board to discuss the merits of Respondent's Request for Reinstatement. Attached to the letter was an Order signed by Federal Judge Edward J. Lodge terminating Respondent's probation in Case No. CR-06-069. Thereafter, the Board received a second letter, authored by Respondent, dated April 23, 2009, which supplemented J. Kevin West's March 20, 2009 letter with several statements regarding Respondent's character. These statements had apparently been previously submitted to Judge Lodge for his consideration in Case No. CR-06-069.

This matter then came before the Idaho State Board of Chiropractic Physicians at a
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regularly scheduled meeting of the Board on April 29, 2009. The Board, having conducted an independent review of Respondent's Request for Reinstatement together with all matters of record, and good cause appearing therefor, the Board adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. That Respondent's license (CHIA-818) shall be reinstated.
2. That Respondent shall be placed on probation for the period of one (1) year, commencing fourteen (14) days from the date of this Order. During the period of probation, Respondent shall (1) adhere to the law and rules governing chiropractic care in the state of Idaho; and (2) Respondent must comply with any and all requests from the Board to audit, and/or inspect Respondent's business records.

3. This is the Final Order of the Board.

- a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code Section 67-5247(4)).

- b. Pursuant to Idaho Code Sections 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

- c. An appeal must be taken within twenty-eight (28) days: (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of

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the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (See, Idaho Code Section 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

4. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 1 day of June, 2009.

IDAHO STATE BOARD OF CHIROPRACTIC
PHYSICIANS

By Shannon Gaertner-Ewing
Shannon Gaertner-Ewing, Chairman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of June, 2009, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Timothy W. Grothman
4044 E. Mullan Train Rd.
Coeur d' Alene, ID 83814

☒ U.S. Mail
☐ Hand Delivered
☒ Certified Mail
☐ Federal Express
☐ Fax Transmission

J. Kevin West
Hall Farley, Oberrecht & Blanton, P.A.
P.O. Box 1271
Boise, ID 83701

☒ U.S. Mail
☐ Hand Delivered
☐ Federal Express
☐ Fax Transmission

Karl T. Klein
Deputy Attorney General
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivered
☐ Federal Express
☒ Fax Transmission
☒ Statehouse Mail


Tana Cory, Bureau Chief

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